

1 EMILIO G. GONZALEZ (State Bar No. 197382)
emiliogonzalez@dwt.com
2 DAVIS WRIGHT TREMAINE LLP
865 S. Figueroa Street, Suite 2400
3 Los Angeles, California 90017-2566
Telephone: (213) 633-6800
4 Fax: (213) 633-6899

5 SAM N. DAWOOD (State Bar No. 178862)
samdawood@dwt.com
6 DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
7 San Francisco, California 94111
8 Telephone: (415) 276-6500
9 Fax: (415) 276-6599

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11 Attorneys for Plaintiff
MERRILL LYNCH, PIERCE, FENNER &
12 SMITH INCORPORATED

13 **UNITED STATES DISTRICT COURT FOR THE**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **(OAKLAND DIVISION)**

16
17 MERRILL LYNCH, PIERCE,
FENNER & SMITH
18 INCORPORATED,

19 Plaintiff,

20 vs.

21 KIA FRIEDMAN,

22 Defendant.

Case No. CV-09-2256 PJH

STIPULATION OF DISMISSAL

1
2 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff
3 Merrill Lynch, Pierce, Fenner & Smith Inc. ("Plaintiff"), on the one hand, and
4 defendant Kia Friedman ("Defendant"), on the other hand, through undersigned
5 counsel for Plaintiff and Defendant, that this entire action shall be dismissed with
6 prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Each party to bear their own
7 attorneys' fees and costs.

8 **SO STIPULATED**

9
10 DATED: June 15, 2010.

11 DAVIS WRIGHT TREMAINE LLP

12
13 By:--Sam Dawood /s/

14 Emilio G. Gonzalez
15 Sam N. Dawood

16 Attorneys for Plaintiff
17 MERRILL LYNCH, PIERCE, FENNER
18 & SMITH INC.

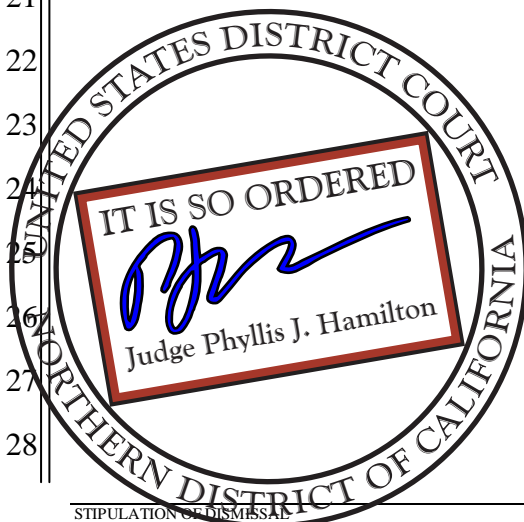
19 DATED: June 15, 2010.

20 MALEK & MALEK

21
22 By:--Jeff Malek /s/

23 Jeff Malek
24 Sandra Malek

25 Attorneys for Defendant
26 KIA FRIEDMAN
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6/17/10